



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

3763
4-29-02
#6/Electr

APPLICANT: DAVID NEWSOME

DATE: April 10, 2002

SERIAL NO.: 09/634,054

GROUP ART UNIT: 3763

FILED: 08/08/2000

EXAMINER: Michael J. Hayes

FOR: "DILATION ENHANCER"

ATTORNEY DOCKET NO.: P00005US (53783.1P)

RESPONSE TO RESTRICTION REQUIREMENT

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Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

This is a Response to the Office Action dated 12 March 2002. A response is due by 12 April 2002.

ELECTION

Applicant hereby elects the invention of Group V, claims 27 - 31, without traverse. Applicant also elects Species 3 (which includes figures 5 and 6, but applicant believes that figure 4 belongs in Species 3 as well).

Although applicant has elected without traverse a Group and a Species, applicant respectfully requests that the Examiner examine all (or at least most of the) claims. In the parent application, the Examiner examined and allowed claims similar to the claims in Groups I and II. The inventions claimed in Groups I and II differ from those of U.S. Patent No. 6,101,411 primarily in that it is specifically stated in the claims of the present application that the apparatus can be used for dilating

or reversing dilation of a patient's eye. Thus, it is believed that the inventions of Groups I and II can easily be examined and allowed with substantially no work on the part of the Examiner.

In the response mailed on 29 January 2001, several of the claims were cancelled. Both of the claims of Group III were cancelled, and the limitations of claim 9 were added to claim 8.

Applicant respectfully submits that the application is in condition for allowance. A Notice of Allowance is hereby respectfully requested.

Should the Examiner feel that a telephone conference would advance the prosecution of this application, he is encouraged to contact the undersigned at the telephone number listed below.

Applicant respectfully petitions the Commissioner for any extension of time necessary to render this paper timely.

Please charge any fees due or credit any overpayment to Deposit Account No. 50-0694.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on this 10th day of April, 2002.

Seth M. Nehrbass, Reg. No. 31,281

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